UNITED NATIONS

CAAS

International Convention against *Apartheid* in Sports

Distr.
LIMITED

CAAS/C/1992/L.1
23 October 1992

ORIGINAL: ENGLISH

COMMISSION AGAINST APARTHEID IN SPORTS
Third session
28-30 October 1992

PROVISIONAL AGENDA

1. Opening of the session.

2. Statement by the outgoing Chairman of the Commission.

3. Election of officers.

4. Adoption of the agenda.

5. Replacement of a member of the Commission.

6. Organization of work of the Commission.

7. Readmission of South Africa to the International Olympic Committee.

8. Progress towards integration of sports in South Africa and the elimination of racism from sports in South Africa.

9. Register of Sports Contacts with South Africa.

10. Consultations with representatives of national and international sporting organizations.

11. Consideration of the reports of the States parties to the International Convention against Apartheid in Sports in accordance with article 12, paragraph 1, of the Convention.

12. Status of the International Convention against Apartheid in Sports.

13. Consideration of the draft report of the Commission to the General Assembly.

14. Closing of the session.

92-52275 3534f (E) 261092 281092

UNITED NATIONS

CAAS

International Convention against
Apartheid in Sports

Distr.
LIMITED

CAAS/C/1992/L.2
23 October 1992

ORIGINAL: ENGLISH

COMMISSION AGAINST APARTHEID IN SPORTS
Third session
28-30 October 1992

ORGANIZATION OF WORK

Note by the Secretariat

1. Under the terms of the International Convention against Apartheid in Sports, the Commission against Apartheid in Sports is to meet once a year. However, it was not able to meet in 1991 owing to non-payment of contributions by a number of States parties. The Commission has been facing a financial crisis for the last two years. Therefore, the duration of the meeting was shortened to three days in order to ensure efficiency and some savings.

2. The Commission shall consider reports submitted to it by States parties on measures taken by them to give effect to the provisions of the Convention; it shall examine, in particular, the implementation of the provisions of article 10; and it shall report annually, through the Secretary-General, to the General Assembly and make recommendations on action to be undertaken.

3. In accordance with its rules of procedure, the Commission shall elect a Chairman, Vice-Chairman and Rapporteur.

4. Many important developments have taken place in South Africa, although not in a pattern of steady progress, since the last meeting of the Commission. These developments include, inter alia, the release of political prisoners, the abrogation of apartheid laws and the commencement of negotiations to bring about a peaceful end to apartheid in South Africa.

5. In 1991 South Africa was readmitted to the International Olympic Committee (IOC). The participation of teams from South Africa in the Barcelona Olympic Games of 1992, organized on a non-racial basis, flying their own flag and carrying their own emblem, represented the first time that non-racial South African teams were able to compete internationally. While this development was supported by important political forces in South Africa,

others, both inside and outside South Africa, were critical of this development. The Secretariat requested all interested parties to present their views on these and other issues. Replies received have been circulated to the members.

6. In previous meetings of the Commission in 1989 and 1990, representatives of national and international sporting organizations contributed to the work of the Commission. A number of representatives of these organizations were also invited this year. This year the meeting of the Commission differs from previous meetings, owing to the participation of organizations involved in the sports question from inside South Africa. Their participation has been made possible through the cooperation extended to the Commission by the Special Committee against Apartheid.

7. The Special Committee against Apartheid issued the Register of Sports Contacts with South Africa for the first time in 1982. Later, the Register became an important instrument in the boycott of apartheid in sports. The latest issue of the Register was released on 23 April 1991. This matter is reviewed in document CAAS/C/1992/L.3.

8. Only six States parties have presented reports under article 12, paragraph 1, of the International Convention against Apartheid in Sports. These reports have been compiled in document CAAS/C/1992/L.4. During the Meeting of the States parties, on 10 June and 21 July 1992, several States parties stated their reservations with regard to convening a meeting of the Commission, owing to the lack of a sufficient number of reports for consideration.

9. The General Assembly, in the preamble to its resolution 40/64 G, by which it adopted and opened for signature the International Convention against Apartheid in Sports, expressed its conviction that the Convention would be an important instrument towards the isolation of the racist regime of South Africa and the elimination of apartheid in sports. In article 10, paragraph 5, of the Convention, it is stated that the provisions relating specifically to South Africa shall cease to apply when the system of apartheid is abolished in that country. For the Commission's consideration of the present status of the Convention, the Secretariat provided document CAAS/C/1992/L.5.

10. The report of the Commission on its third session is of special importance because it will be considered by both the General Assembly and the Meeting of the States parties in determining the status of the Convention, including the question of future meetings of the Commission.

UNITED NATIONS

CAAS

International Convention against *Apartheid* in Sports

Distr.
LIMITED

CAAS/C/1992/L.3
27 October 1992

ORIGINAL: ENGLISH

COMMISSION AGAINST APARTHEID IN SPORTS
Third session
28-30 October 1992

REGISTER OF SPORTS CONTACTS WITH SOUTH AFRICA

Note by the Secretariat

1. The boycott of apartheid in sports became the focus of the international community during the Montreal Olympic games of 1976. Thereafter, and as a result of contention concerning the boycott of those collaborating with South Africa in the field of sports, the General Assembly adopted the International Declaration against Apartheid in Sports of 1977. 1/ In 1985, the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports finalized the draft Convention against Apartheid in Sports, which was adopted by the General Assembly at its fortieth session. 2/

2. The Special Committee against Apartheid has continued to lead the campaign against apartheid in sports. At its thirty-fifth session, the General Assembly, acting on the recommendations of the Special Committee, condemned the violators of the sports boycott of South Africa and encouraged action against them. Since then, the Special Committee has compiled a Register of Sports Contacts with South Africa. In paragraph 2 of its resolution 36/172 I of 17 December 1981, the General Assembly noted with appreciation "the action of the Special Committee in publishing lists of sportsmen, entertainers and others visiting South Africa, in order to enable Governments and organizations to take any action they may deem appropriate".

3. In its resolution 40/64 G of 10 December 1985, by which it adopted the International Convention against Apartheid in Sports, the General Assembly commended the Special Committee for its efforts and requested it to continue publishing the Register of Sports Contacts with South Africa until the establishment of the Commission against Apartheid in Sports. Later, the Commission and the Special Committee agreed that the latter should continue to publish the Register.

4. In paragraph 9 of its resolution 46/79 A of 13 December 1991, the General Assembly

> "Calls upon the international community, in view of the progress made in overcoming obstacles to negotiations, ... to resume sports links with unified non-racial sporting organizations of South Africa which have received endorsement by the appropriate non-racial sporting organizations within South Africa and to assist disadvantaged athletes in that country."

5. The Special Committee, in its policy statement of 26 February 1992 concerning the boycott of apartheid, stated that

> "sportswomen and sportsmen should be advised that before undertaking activities with integrated sports in South Africa, they should consult with non-racial sporting organizations and avoid relations with government-sponsored activities or institutions.
>
> "Sports links with South Africa should be purposeful and helpful to the process of eradicating apartheid as well as supportive of the democratic, non-racial sports in the country. To achieve this end, sportswomen and sportsmen and organizations should be encouraged to consider assisting in training and contributing towards upgrading of sports facilities of township schools and of townships, participating in free or subsidized international sports events in townships, participating in fund-raising games or other events aimed at general or specific uplifting of non-racial sporting organizations and disadvantaged athletes in South Africa.
>
> "With regard to the Register of Sports Contacts with South Africa, the Subcommittee (on the Implementation of United Nations Resolutions and Collaboration with South Africa) recommends that, in view of paragraph 9 of resolution 46/79 A, those sportswomen and men who now decide to compete in South Africa with sportspersons from unified non-racial sporting organizations should no longer be included in the future issue of the Register."

6. The Register became an important instrument to boycott apartheid in sports and to persuade sporting organizations in South Africa to integrate.

7. Since the adoption of General Assembly resolution 46/79 A, anti-apartheid groups have not submitted names of violators of the sports boycott. This may be related to the fact that it is becoming difficult to distinguish between persons engaging in sporting contacts in South Africa with non-racial sporting organizations and persons involved with other organizations. The Commission might wish to provide guidance as to whether the Register should be maintained. In order to be able to continue to maintain the Register, non-racial sporting organizations and the liberation movements of South Africa as well as international sports federations would need to assist the Special Committee and the Centre against Apartheid by providing the information needed for this purpose.

Notes

1/ General Assembly resolution 32/105 M of 14 December 1977.

2/ General Assembly resolution 40/64 G of 10 December 1985.

UNITED NATIONS

CAAS

International Convention against
Apartheid in Sports

Distr.
LIMITED

CAAS/C/1992/L.4
27 October 1992

ORIGINAL: ENGLISH

COMMISSION AGAINST APARTHEID IN SPORTS
Third session
28-30 October 1992

STATUS OF THE INTERNATIONAL CONVENTION AGAINST APARTHEID IN SPORTS

Note by the Secretariat

1. As a number of States parties to the International Convention against Apartheid in Sports did not pay their contributions in 1991, the question of the non-payment of contributions to the budget of the Commission against Apartheid in Sports as well as other financial questions were addressed to the Office of Legal Affairs. In its response, the latter confirmed that States parties have a legal obligation to pay their contributions. The questions and the response of the Office of Legal Affairs are contained in a document 1/ issued by the Meeting of States Parties and circulated to the members of the Commission.

2. On 29 January 1992, the States parties held an informal meeting at which they discussed the status of the International Convention against Apartheid in Sports. Subsequently, the Chairman of the meeting addressed two questions to the Office of Legal Affairs concerning the status of the Convention, in the light of General Assembly resolution 46/79 A of 13 December 1991. Paragraph 9 of the resolution reads as follows:

> "Calls upon the international community, in view of the progress made in overcoming obstacles to negotiations, ... to resume sports links with unified non-racial sporting organizations of South Africa which have received endorsement by the appropriate non-racial sporting organizations within South Africa and to assist disadvantaged athletes in that country;".

The Chairman also inquired whether a meeting of the States parties can decide on the status of the Convention and/or assume the functions of the Commission

and whether an annual meeting of the Commission is mandatory. The response of the Office of Legal Affairs is contained in a document, 2/ which has been circulated to the members of the Commission.

3. The views of the States parties on the questions and the response of the Office of Legal Affairs were sought at the eighth Meeting of the States Parties, held on 10 June and 21 July 1992, where the status of the Convention and the meeting of the Commission were discussed. The Chairman of the Meeting of the States Parties subsequently transmitted the report on the subject to the States parties. The report is set out in the annex to the present document.

4. The Commission may consider it appropriate to make proposals to the General Assembly and the Meeting of the States Parties concerning its future work and the status of the International Convention against Apartheid in Sports, including the question of the holding of future meetings.

5. The terms of office of six members of the Commission will expire in March 1993.

Notes

1/ CAAS/SP/1991/L.6.

2/ CAAS/SP/1992/L.2.

Annex

Report of the Chairman of the eighth Meeting of the States Parties to the International Convention against Apartheid in Sports, held on 10 June and 21 July 1992

At the eighth Meeting of the States Parties, the following issues were considered:

1. Status of the International Convention against Apartheid in Sports

The Meeting of the States Parties considered document CAAS/SP/1992/L.2, which contains two questions concerning the status of the Convention and the convening of a meeting of the Commission against Apartheid in Sports, addressed by the Secretariat, at the request of the Chairman, to the Legal Counsel, and the answers of the latter.

The States parties discussed, in general terms, developments in South Africa, and how they related to the purposes of the Convention and its overall scope of application. The States parties confirmed the validity of the Convention and its purposes, and expressed the view that the Convention has contributed to bringing about a process of change to begin in South Africa. In that context, several States parties stressed that the Convention was applicable also with regard to any other potential case of apartheid. The importance of States parties' submitting reports as required under article 12, paragraph 1, of the Convention was emphasized.

A number of States parties stated that they would discuss this matter in connection with the arrangements for the 1992 session of the Commission.

2. Arrangements for the 1992 session of the Commission against Apartheid in Sports

The States parties considered this question both at the first and at the resumed session of the Meeting. A number of States parties expressed the view that convening the Commission at this time would not be appropriate for the following reasons:

(a) The potentially positive developments in South Africa;

(b) The participation of South Africa in the Olympic games;

(c) The adoption of General Assembly resolution 46/79 A;

(d) The absence of any report as required under article 12, paragraph 1, of the Convention.

These States parties therefore proposed the convening of a special meeting of the States parties under article 12, paragraph 4, which, in their view, would be more meaningful. The majority of States parties present, however, were in favour of convening a meeting of the Commission.

At the resumed session, the Chairman circulated a draft report of the Chairman in an effort to facilitate the search for common ground and agreement among States parties.

After consideration of issues raised, the Meeting decided to authorize the Chairman: (a) to proceed with the necessary arrangements to convene the Commission in the first part of September 1992; (b) to appeal to all States parties which have not yet done so to submit their reports by September 1992; (c) to appeal to all States parties that have not yet paid their contributions, to do so; (d) to consult with Member States in order to seek voluntary contributions to the budget of the Commission; and (e) to request those States parties in a position to do so to pay the expenses of their nationals who are members of the Commission when fulfilling their duties in that function.

Several States parties restated their reservations in connection with the decisions taken by the Meeting concerning the convening of the Commission.

The Chairman then appealed to the States parties to submit their reports, under article 12, paragraph 1, before September 1992 and to pay their contributions for this year, and to those in arrears to pay their contributions for previous years, before 21 August 1992. The Chairman also requested the States parties whose nationals serve in the Commission, and which are in a position to do so, to cover the expenses of their respective members.

The Chairman stated also that he would consult with the Permanent Representative of the States parties concerning voluntary contributions to cover the expenses of the meeting of the Commission, though this method would be a last resort.

3. Administrative and financial implications relating to measures of implementation of the Convention

This agenda item was added at the resumed meeting. The Chairman drew the attention of the representatives of States parties to document CAAS/SP/1992/L.4, which contains the statement by the Secretary-General on this subject.

While taking note of the above-mentioned reservations of a number of States parties, concerning the convening of the Commission, the Meeting of the States Parties approved the expenses of the Commission and confirmed the method of apportionment of these expenses among themselves as agreed upon earlier.

UNITED NATIONS

CAAS

International Convention against *Apartheid* in Sports

Distr.
LIMITED

CAAS/C/1992/L.5
26 October 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH/
RUSSIAN/SPANISH

COMMISSION AGAINST APARTHEID IN SPORTS
Third session
28-30 October 1992

REPORTS SUBMITTED BY THE STATES PARTIES IN ACCORDANCE WITH ARTICLE 12, PARAGRAPH 1, OF THE INTERNATIONAL CONVENTION AGAINST APARTHEID IN SPORTS

CONTENTS

Page

REPORTS RECEIVED FROM STATES PARTIES

Barbados 2

Belarus 3

Ecuador 4

Jamaica 5

Senegal 8

Uruguay 9

92-52564 3752e (E) 271092

271092

/...

BARBADOS

[Original: English]

1. Barbados, in recognition of its responsibilities as a signatory to the International Convention against Apartheid in Sports, has taken legislative action to implement the Convention by enacting the Prevention of Apartheid in Sports Act (1990-11), which came into force on 18 June 1990.

2. That legislative instrument underscores the position of Barbados on the question of apartheid in sports and, accordingly, has been circulated for the guidance of the Barbados Olympic Association, the umbrella organization responsible for Olympic sporting activities in Barbados, and its affiliated national sports federations, as well as to the Barbados Cricket Association, the governing authority for first-class cricket in Barbados. In this way, the lines of communication between these sporting bodies and the Ministry responsible for sports have been kept open for ongoing monitoring of the sporting activities of sports bodies, teams and individual sportsmen who might engage in sporting activities in South Africa.

3. At the government level, the immigration authorities and the Ministry responsible for immigration matters have been provided with the Prevention of Apartheid in Sports Act.

4. The names of the following Barbadian cricketers have been included in the Consolidated List of Sportsmen and Sportswomen who have participated in sports events in South Africa between 1 September 1980 and 31 December 1988:

1. Franklin Stevenson
2. Ezra Moseley
3. Alvin Greenidge
4. David Murray
5. Collis King
6. Sylvester Clarke
7. Dexter Toppin
8. Emerson Trotman
9. Albert Padmore
10. Hartley Alleyne
11. Roderick Estwick
12. Vanbourne Holder

Some of these cricketers (e.g., Sylvester Clarke and Collis King) made repeat visits to fulfil contracts.

5. The following players have written the West Indies Cricket Board of Control declaring their determination not to visit South Africa again for the purpose of participating in "apartheid" cricket:

1. Franklin Stevenson
2. Ezra Moseley
3. Alvin Greenidge
4. David Murray

6. A resolution was passed at the International Cricket Conference (ICC) in London in January 1989, which gave pardon to all those who had previously played cricket in South Africa in defiance of the sports boycott. The resolution also set penalties for players who subsequently might visit South Africa for the purpose of playing cricket not sanctioned by ICC.

7. That resolution was ratified at the Caribbean Heads of Government Conference in Grenada in 1989. It was on that basis that the four repentant players have been taken off the Consolidated List, reinstated and are now eligible to be considered for selection at the national level.

8. Since the readmission of South Africa to ICC, which conferred on South Africa the right to resume playing cricket with other members of ICC, a South African cricket team visited the West Indies during April 1992 and played one-day internationals in Jamaica and Trinidad and Tobago and a five-day test match in Barbados.

9. By extension of the right secured, two school teams, representing Grey High School from Port Elizabeth and Michaelhouse from Natal, participated in the 1992 Sir Garfield Sobers Schools' Cricket International Tournament.

BELARUS

[Original: Russian]

The Permanent Mission of the Republic of Belarus to the United Nations presents its compliments to the Secretary-General of the Organization and, with reference to Secretariat note No. CAA/AAr/bj/490 of 20 July 1992, has the honour to report that, since the previous information was made available, no new legislative measures or regulations have been adopted on the issues relating to the International Convention against Apartheid in Sports.

ECUADOR

[Original: Spanish]

1. The Constitution of Ecuador, in its article 4, states: "The Ecuadorian State condemns all forms of colonialism, neocolonialism and racial discrimination or segregation. It recognizes the right of peoples to free themselves from those oppressive systems".

2. Consistent with this statement, Ecuador signed the International Convention against Apartheid in Sports on 16 May 1986, with legislative approval on 14 March 1991 and ratification by the executive branch on 20 May 1991.

3. Ecuador is against all discrimination on grounds of race, sex, colour, creed or status.

4. In implementation of article 3 of the Convention, Ecuador does not maintain sports contact with countries practising apartheid. Article 23 of the Physical Education, Sports and Recreation Act states: "Ecuadorian sports shall be organized and regulated through the Ministry of Education and Culture, and shall be governed by the present Act and its regulations, by other laws of the Republic, by international sports regulations and by legally approved statutes and regulations".

5. The Ministry of Education and Culture, the highest national sports body, is responsible for monitoring the observance of the International Convention against Apartheid in Sports. Among its duties are:

(a) Establishing the country's overall sports policy in accordance with the aims designated in the Physical Education, Sports and Recreation Act;

(b) Observing and enforcing the Act and related regulations, statutes and other provisions;

(c) Authorizing travel abroad by Ecuadorian sports delegations of any level or category.

6. Immigration and naturalization offices shall extend all types of facilities to foreign sports officials, physical education, sports and recreation instructors, heads of delegations, referees, technicians or players who enter the country on an official mission. The absence of official diplomatic relations with South Africa precludes the possibility of an official mission entering Ecuador, thus ensuring the observance of article 7 of the Convention.

7. Ecuador supports all international measures aimed at the elimination of apartheid.

8. In practice, Ecuador has not maintained any contact with sportsmen from countries applying the principle of racial segregation.

JAMAICA

[Original: English]

1. It is a well-known fact that the various sporting associations/federations in Jamaica, even without any prompting from the Government of Jamaica, have always been strongly opposed to the policy and practice of apartheid in South Africa, and indeed, wherever this pernicious system rears its ugly head. In fact, the people of Jamaica are in consistent opposition to this inhuman system and will always support the Government vigorously on its stand to combat the evil of apartheid.

2. In 1976, Jamaica was one of the countries which initiated the move for an international boycott of South Africa in the field of sports. That initiative led to the Gleneagles Agreement against Apartheid in Sports, adopted by the Commonwealth heads of Government in London in 1977. It also led to the International Convention against Apartheid in Sports, which was adopted by the General Assembly on 10 December 1985, and opened for signature on 16 May 1986. Jamaica, having actively participated in the drafting of the Convention, was among the first to sign as well as to ratify it.

3. In accordance with the Convention, the Government of Jamaica has had no sporting contact with South Africa until 1992. The Government took the necessary measures to discourage strongly its sporting bodies, teams and individual sportsmen from having or maintaining sporting contacts with South Africa. In fact, the West Indies Cricket Board of Control, of which Jamaica is a member, decided, as far back as 1971, that any West Indian cricketer who played cricket or coached in South Africa would automatically be debarred from participating in any cricket played under the auspices of the Board. The Jamaica Cricket Association rigorously applied this policy. In 1982, when a number of Jamaican cricketers joined a rebel tour to South Africa, they were banned for life from participating in cricket at the international, national and club levels.

4. However, in 1989, at a meeting of the International Cricket Council (ICC), the West Indies Cricket Board of Control (WICBC) joined in the adoption of a resolution which pardoned all those persons who played cricket in South Africa prior to 1 April 1989. The Jamaica Cricket Association, as an affiliate of the WICBC implemented this resolution revoking the ban imposed on Jamaican cricketers who had played in South Africa.

5. Prior to 1992, Jamaica did not grant visas to representatives of sporting bodies, teams or sportsmen from South Africa to enter Jamaica and also refused to allow sportsmen who had played in South Africa and whose names appeared in the Register of Sports Contacts with South Africa published by the Centre against Apartheid to participate in sporting activities in Jamaica, unless they were cleared by the Special Committee against Apartheid and their names removed from the Register.

Recent developments with regard to sports sanctions against South Africa

6. Jamaica has been anxiously observing the significant reforms which have been instituted in South Africa since President F. W. de Klerk came to power in 1989. These reforms have led to the international community's taking action to end the years of isolation experienced by South Africa's sports enthusiasts, both practitioners and spectators alike.

7. Encouraged by the considerable progress in the evolution of a unified and non-racial sports movement in South Africa and the positive political developments, sporting bodies in Jamaica, including the Jamaica National Olympic Committee and the Jamaica Amateur Athletics Association, supported, albeit reservedly, the reinstatement of South Africa to international sports.

8. With specific reference to cricket, the Government of Jamaica and other Caribbean Governments supported South Africa's return to international cricket, acting on a request from the African National Congress. The West Indies Cricket Board of Control, however, abstained on a point of principle in the vote to reinstate South Africa at a meeting of the International Cricket Council in July 1991. The West Indies Cricket Board of Control did not oppose the participation of South Africa in the Cricket World Cup Tournament which was held in Australia and New Zealand in February/March 1992, when a decision was taken by the ICC on this matter in October 1991.

9. The Government of Jamaica later supported the decision of Mr. Clive Lloyd, a former captain of the West Indies cricket team, to take up a coaching assignment in South Africa at the invitation of the United Cricket Board of South Africa (the unified governing body of the sport). The Government supported this decision because of Clive Lloyd's stated intention to assist in enhancing the abilities of those who have been denied the opportunity to participate fully in sporting events, in particular cricket, at the national and international levels. The Government of Jamaica also joined other Caribbean Governments in endorsing visits to South Africa by other regional sporting personalities, such as Sir Garfield Sobers, Mr. Austin Sealy, and Mr. Tony Becca, a Jamaican sports journalist.

10. In March 1992, the West Indies Cricket Board of Control agreed to a South African tour of the West Indies to take place from 4 to 24 April 1992 and, in principle, to a West Indian tour of South Africa in February 1993. This first South African tour of the West Indies had the approval of the Government of Jamaica and the blessing of Nelson Mandela, President of the African National Congress. It included visits to Jamaica, Trinidad and Tobago and Barbados. The Prime Minister of Jamaica, while welcoming the South Africans to Jamaica, told them that in his country, as well as in the rest of the Caribbean, the general feeling was that, although there has been progress in South Africa, the battle would not be over until the final irrevocable breakthrough had been made. The Prime Minister also made it clear to the touring party that Jamaica's decision to lift sporting sanctions was a direct response to the position taken by Nelson Mandela and the African National Congress.

Decisions taken in international forums regarding the lifting of sporting sanctions against South Africa

11. The Government of Jamaica, in endorsing the readmission of South Africa to international sporting events, has acted in accordance with decisions taken by the heads of Government of the Caribbean Community, the heads of State and Government of the Commonwealth, and the General Assembly.

12. The heads of Government of the Caribbean Community, meeting in St. Kitts and Nevis from 2 to 4 July 1991, took the following decision:

> Within the framework of the general application of sanctions against South Africa, heads of Government, conscious of the trend at the international level to delink sport that is organized on a multiracial basis in South Africa from general application of sanctions, signify their readiness to lend their support on a case-by-case basis in such areas of sports. At the specific request of the African National Congress, they signified their readiness to support the admission of the United Cricket Board of South Africa to the International Cricket Council.

13. The Commonwealth heads of Government meeting at Harare in September 1991 agreed that "people to people" sanctions affecting contact in several areas, including sports, should be lifted once the following criteria have been met:

- the formal endorsement of the achievement of unity by the appropriate representative non-racial sporting association in South Africa;
- readmittance to the relevant international governing body; and
- agreement of the appropriate non-racial supporting organization in South Africa to resume international competition.

14. General Assembly resolution 46/79 A entitled "International efforts towards the total eradication of apartheid and support for the establishment of a united, non-racial and democratic South Africa", which was adopted without a vote in December 1991, calls upon the international community to resume, among other things, "sports links with unified, non-racial sporting organizations of South Africa which have received endorsement by appropriate non-racial sporting organizations within South Africa and to assist disadvantaged athletes in that country".

15. The Government of Jamaica fully endorses the decisions of the Caribbean Community, the Commonwealth and the General Assembly. The Government of Jamaica recognizes the value of sports as an instrument in overcoming racism and will do whatever it can to assist those South African sportsmen and sportswomen disadvantaged by apartheid.

Concluding remarks

16. The Government of Jamaica has sought to abide by the International Convention against Apartheid in Sports and continues to give its full support to the provisions of the Convention while taking account of the developments which have occurred in South Africa in the last two years and their effect on sporting contact with that country in accordance with article 10, paragraph 5, of the Convention. This article takes into account the prospect of change in South Africa which would warrant the lifting of these sporting sanctions at the discretion of the international community.

17. Recent events in South Africa, namely the Boipatong massacre, has, however, given a clear indication that in spite of the progress made in South Africa, the international community must remain vigilant and must continue to exert pressure on the regime of President de Klerk. The Jamaican Government, as well as its counterparts in the Caribbean, have therefore given their assurances to the President of the African National Congress, Mr. Nelson Mandela, that they stand ready, if present trends in South Africa are not rapidly reversed, to join in re-mobilizing the international community through all appropriate means in the struggle against apartheid.

SENEGAL

[Original: French]

1. Senegal has disseminated the contents of the Convention widely to its Olympic and Sports Committee and to all the national sports federations.

2. It has requested the Senegalese National Olympic Committee to use all its weight and influence with international bodies to ensure the implementation of the Convention.

3. By virtue of the delegation of authority by the Government to the sports federations, the federations have complied with the Convention at the risk of losing official recognition and the technical and human resources placed at their disposal for developing their discipline.

4. Since 1989, relations between South African sports organizations and the international sports movement have developed rapidly, with consideration being given to the possibilities for the South African federations to return to the international sports movement from which they had been excluded.

5. The Senegalese National Olympic Committee, through its President, Lamine Diack, Vice-President of the International Amateur Athletic Federation, has played a decisive role in the contacts established between the international sports authorities and the South African authorities.

6. In March 1991 at Dakar, Senegal became host to the Regional Development Centre of the International Amateur Athletic Federation, and in May 1991 it hosted the special session of the African Amateur Athletic Confederation, at which one of the agenda items was the status of South African sports.

7. Senegal also hosted, on 17 April 1992, the meeting of the Council of the African Amateur Athletic Confederation on African Unity, in which South African athletes and managers, black and white, participated.

8. The world of sports has played a decisive, incontestable role in the pressure brought to bear to abolish apartheid. With that aim in view, the Convention remains an effective instrument which should be updated to reflect the latest developments, in order to preserve what has been gained and to bring the struggle against apartheid to a successful conclusion.

URUGUAY

[Original: Spanish]

1. The Republic of Uruguay presents its report to the Commission against Apartheid in Sports, in compliance with article 12, paragraph 1, of the International Convention against Apartheid in Sports.

2. The Republic of Uruguay has maintained a consistent position with regard to racial discrimination in sports, in accordance with its general policy on apartheid.

3. The principle of equality of persons is the cornerstone of the liberal democratic system and is recognized as such in article 8 of the 1967 Constitution, which states: "All persons are equal before the law, which recognizes no distinction between them other than their talents or qualities." This principle is reaffirmed in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights, which was ratified by our country on 1 April 1970 and which prohibits discrimination against persons on the basis of their race, colour, sex, language, religion, etc. A similar text appears in article 2, paragraph 1, of the International Covenant on Civil and Political Rights, which was ratified by our country on the same date. It should be pointed out that, as a corollary to its defence of this principle, Uruguay in 1968 ratified the International Convention on the Elimination of All Forms of Racial Discrimination.

4. The defence of this principle goes back to the first legal instruments by which our country was governed, such as the 1825 Freeborn Act and our first Constitution in 1830. Article 131 of that Constitution stated that no person would be born a slave in the territory of the Republic, and article 132 affirmed the equality of persons. The Constitution has enshrined this principle through its various versions in our history (the 1918, 1934 and 1952 Constitutions). The concept of equality is observed unconditionally. It is

the basis on which individuals are guaranteed the full enjoyment of social benefits.

5. Our actions within the scope of international relations have been a faithful reflection of our domestic laws and policies. Uruguay has condemned the policy of apartheid in all forums, and the question of discrimination in sports is held to be of paramount importance in appraising the problem as a whole.

6. Uruguay voted in favour of the General Assembly resolution relating to apartheid in sports. For our country, this vote did not signify the adoption of a new position on the subject; rather, it crystallized positions which Uruguay had previously maintained.

Article 2

7. In all international forums, Uruguay has expressed its rejection of discrimination in sports and has added its vote to all decisions condemning such discrimination.

8. Apartheid in sports constitutes a violation of the Olympic principle; similarly, any exchange between sportsmen of one country and those of another which maintains a legal system of discrimination represents support for the violation of that principle.

9. The Uruguayan Olympic Committee has defended the Olympic principle and specifically condemned apartheid at all the international meetings in which it has participated.

10. The basis for the Committee's actions is article 3 of the Olympic Charter, which prohibits all forms of discrimination against a country or a person on the grounds of race, religion or political affiliation, the 1988 Lausanne resolution of the International Olympic Committee and resolutions of the Association of National Olympic Committees, which outline the principles followed by the Committee in this and other areas.

11. Uruguay's international policy in this regard has been very clear and consistent with the principles traditionally upheld by the Republic, which hopes to have made an effective contribution to the search for better means of eliminating distinctions between persons and a more faithful compliance with international law.

Articles 3 and 4

12. It should be noted that no official sports delegation from our country has visited South Africa. If any Uruguayan athlete had gone to South Africa to compete, he would have been penalized by the Uruguayan Olympic Committee and the National Physical Education Commission, in accordance with the rules governing the activities of these bodies.

13. The implementation of the clear-cut provisions of the Convention as if they were national law and the absence of any desire in the national sports environment to maintain contacts with sports bodies in countries practising apartheid have obviated the need to give effect to the Convention by legislation or decree. The contents of the Convention have at all times been effective in preventing any isolated attempt to compete with bodies in violation of its provisions.

14. It is standard policy for national, governmental and non-governmental sports authorities to reject any invitation to enter competitions in countries which practise apartheid.

15. As can be seen, Uruguay has adopted a range of measures designed to prevent sports contacts with countries practising apartheid.

16. The denial of visas, the refusal of assistance, together with the system of penalties, establish an utterly effective framework for ensuring respect for the provisions of the Convention.

Articles 5 and 6

17. The policy pursued by the national sports authorities is to deny any financial assistance for competition in countries where apartheid exists. The consequences of such a policy have been, first of all, to bolster the determination that no sports contacts should be maintained and to act as a disincentive should there be any desire whatsoever to offer assistance, by rendering all financial cooperation ineffective. This has undoubtedly helped to eliminate any type of competition that is contrary to the provisions of the Convention.

18. No national honours or awards have been conferred by the national sports authorities to teams from countries practising apartheid, nor have receptions been held in honour of such teams and sportsmen, as Uruguay currently has no sports ties with countries which practise apartheid.

Article 7

19. With respect to the granting of visas to visit our country, the national consular corps must request prior authorization for visas applied for by South African nationals. This procedure rules out the possibility that a visa might be granted in order for a South African sportsman to travel to Uruguay and participate in competitions, in accordance with the provisions of the Convention. Thus, visas were denied to Mr. M. J. du Plessis, passport SA 00029742, Mr. D. Gerber, passport SA 250809, Mr. Garth D. Wright, passport SA 318770 and Mr. U. L. Schmidt, passport SA 296760, these persons being rugby players who wished to participate in competitions in our country.

20. These measures confirm positions already adopted by the Republic even before signing and ratifying the Convention.

Articles 8 to 10

21. Uruguay has always taken a coherent and respectful position where article 8 of the Convention is concerned and, in keeping with the statements made above, has expressed its repudiation of the practices of apartheid in international forums. It has supported the expulsion from various international sports bodies of any country which maintains apartheid as a legal regime in its territory.

22. Uruguay fully supports countries and sportsmen that refuse to compete where apartheid is practised and, therefore, is not in favour of the imposition of financial penalties on such sportsmen and countries.

23. This report demonstrates Uruguay's incontestable will to refrain from maintaining sports contacts with those countries which practise apartheid. The same determination permeates the thinking of the local sports authorities, who have always voiced respect for the Olympic principle and for non-discrimination among men. This stance is the product of a particular view of man and of life, and is faithfully reflected in the national legal order and in the position the country has taken in various international forums.

UNITED NATIONS

CAAS

International Convention against *Apartheid* in Sports

Distr.
LIMITED

CAAS/C/1992/L.5/Add.1
28 October 1992
ENGLISH
ORIGINAL: ENGLISH/FRENCH/
SPANISH

COMMISSION AGAINST APARTHEID IN SPORTS
Third session
28-30 October 1992

REPORTS SUBMITTED BY THE STATES PARTIES IN ACCORDANCE WITH ARTICLE 12, PARAGRAPH 1, OF THE INTERNATIONAL CONVENTION AGAINST APARTHEID IN SPORTS

Addendum

CONTENTS

Page

REPORTS RECEIVED FROM STATES PARTIES

Mexico 2

Nepal 3

Nigeria 4

Togo 5

MEXICO

[Original: Spanish]

1. The Government of Mexico, being aware of its obligations under the International Convention against Apartheid in Sports, has taken all necessary steps to locate the Mexican athletes whose names appeared in the reports on sports contacts with South Africa drawn up by the Centre against Apartheid, for the purpose of urging them to undertake not to participate in any further activities held in South Africa until such time as that country totally and effectively eradicates the policy of apartheid.

2. As a result of the above, the athletes who attended the sports activities in South Africa, in violation of the Convention, were called upon by the Foreign Ministry of Mexico to sign written statements in which they undertook not to participate in any sports activities held in South Africa or in any other country that is known to apply segregationist policies. These statements were duly transmitted to the Centre against Apartheid.

3. By the same token, the Government of Mexico has disseminated widely and on the appropriate occasions its policy with regard to apartheid, as well as the text of the International Convention against Apartheid in Sports. This information has been distributed among the various clubs, associations and federations, as well as to national athletes, in order to discourage them as much as possible from participating in any sports activities held or organized in South Africa, and to warn them of the possibility that they might be subject to sanctions pursuant to article 6 of the Convention.

4. At its forty-sixth session, the General Assembly, having taken note of recent positive political developments in South Africa, adopted resolution 46/79 A, in which it called upon Member States to resume "sports links with unified non-racial sporting organizations of South Africa which have received endorsement by appropriate non-racial sporting organizations within South Africa".

5. Mexico has followed closely the process of profound change to which the Government and people of South Africa have committed themselves. Consequently, the Government of Mexico has begun to develop sports links with South Africa under the terms of resolution 46/79 A, as part of the process of normalization of its relations with South Africa which began on 24 March 1992.

6. Mexico also reiterates its willingness to continue applying the Convention to any State in which a segregationist regime might be institutionalized, in order to contribute to the total eradication of apartheid in the world.

NEPAL

[Original: English]

1. Nepal has always been strongly opposed to the system of apartheid in South Africa. Apartheid represents a most blatant violation of the principles of the Charter of the United Nations and the Universal Declaration of Human Rights. The Government and the people of Nepal have always been at the forefront of the anti-apartheid movement. Nepal's consistent opposition to the system of apartheid has earned it the respect of the international community. As Vice-Chairman of the Special Committee against Apartheid, we remain committed to the total eradication of apartheid from South Africa.

2. Nepal is a State Party to the International Convention against Apartheid in Sports and maintains no sporting contacts with apartheid South Africa. Moreover, the Government and the people of Nepal do not recognize any sports body, team or sportsmen that have maintained contacts with South Africa unless their names are cleared by the Special Committee against Apartheid. Nepal will continue to adhere to the Convention until the conditions set forth in it are fully met.

3. Nepal welcomes any development that leads to the evolution of the unified and non-racial sporting organizations within South Africa. In this connection, Nepal supports General Assembly resolution 46/79 A entitled "International efforts towards the total eradication of apartheid and support for the establishment of a united, non-racial and democratic South Africa", which was adopted without a vote in 1991. We believe that unified and non-racial sporting organizations could act as instruments in the eradication of apartheid by allowing the sportsmen and women who have been disadvantaged by apartheid to participate in the sporting events within and outside of South Africa.

4. We believe that only strict implementation of the 1989 consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa promises the creation of the necessary climate for negotiations for the establishment of a united, non-racial and democratic South Africa. The signing of National Peace Accords and the setting-up of a negotiating process under the framework of the Convention for a Democratic South Africa were positive developments for creating a climate for negotiations. But the recurrent phenomenon of violence has threatened to derail the negotiations. We call upon the de Klerk Government to end violence and create the climate necessary for the resumption of negotiations for the establishment of a united, non-racial and democratic South Africa.

NIGERIA

[Original: English]

1. Nigeria's activist role against apartheid South Africa has never been in doubt. We have occupied the limelight for about three decades.

2. Both the Government and the people of Nigeria have remained opposed to the obnoxious policy of apartheid and resolved to fight it at every forum. The Government resolved early in its independence not to have any official, private, commercial, sporting and academic link with racist South Africa.

3. Nigeria, along with other African and Latin American countries, initiated and joined the movement for an international boycott of South Africa in the field of sports. These efforts and initiatives led to the Gleneagles Agreement against Apartheid in Sports, adopted by the Commonwealth heads of Government in London in 1977, as well as to the International Convention against Apartheid in Sports, adopted by the General Assembly of the United Nations on 10 December 1985.

4. Prior to this, Nigeria did not have sporting or any other contacts with South Africa. The General Assembly's decision of December 1985 further strengthened Nigeria's resolve to isolate racist South Africa. Nigeria's National Sports Council has remained opposed to any form of sporting contact with South Africa. Our country has also played prominent roles in the International Olympic Commission, in terms of galvanizing world opinion against any sporting activities with racist South Africa.

5. However, encouraged by the considerable progress in the evolution of a unified and non-racial sports movement in South Africa as well as the general positive political developments in that country, the sporting bodies in Nigeria supported the reinstatement of South Africa to international sports.

6. In taking this decision, the Nigerian Government acted in accordance with decisions taken by the heads of State and Government of the Commonwealth in September 1991 and by the General Assembly of the United Nations in its resolution 46/79 A of 13 December 1991 entitled "International efforts towards the total eradication of apartheid and support for the establishment of a united non-racial and democratic South Africa".

7. The Government of Nigeria will continue to abide by the International Convention against Apartheid in Sports and give full support to its provisions. The Government will continue to take total account of developments in South Africa, especially since it believes that the acclaimed progress in South Africa has not reached the stage of irreversibility.

TOGO

[Original: French]

1. The destructive consequences of the practice of apartheid affect every sphere of life in southern Africa.

2. Togo is following with great interest the recent developments in South Africa with regard to the political situation and in the area of sport.

3. It should be noted that marked progress is being made at the political, social, civic and sporting levels in South Africa, as a result of the implementation of the economic sanctions imposed upon that country.

4. We may single out a few positive results indicative of a relaxation in the area of sport, while bearing in mind that in South Africa politics and sport are never separate issues.

5. With regard to sport, the first positive manifestation of the progress made is the recognition by the International Olympic Committee (IOC) of the South African Non-Racial Olympic Committee, which led to its well-deserved invitation to attend the 1992 Olympic Games, held in Barcelona, Spain, after the establishment by the Interim Olympic Committee of South Africa (INOCSA) of the following five conditions aimed at reintegrating South African sport in the Olympic movement:

- Abolition of apartheid;

- Requirement that INOCSA comply with the Olympic Charter in its structures and activities;

- Requirement that INOCSA make progress in establishing the fully fledged National Olympic Committee and encourage normalization of relations between its national federations and the international federations concerned;

- Continuation of endeavours to unify the various federations of sports on non-racial bases;

- Normalization of relations between INOCSA and the African sports organizations, particularly the Association of National Olympic Committees of Africa (ANOCA).

6. However, in spite of the developments noted in South African social and political life, the massacre of 45 blacks in the Boipatong township on 17 June 1992 has called the entire process into question.

7. Nevertheless, the African National Congress (ANC) took the historic decision to authorize South African participation in the Barcelona Olympic Games, in which blacks and whites joined forces to defend their country's flag.

8. This is a consequence of the will of the South African authorities to find rational and peaceful human solutions to the problems undermining and rotting the fabric of the country.

9. Furthermore, at its fourteenth regular session held in Hammamet, Tunisia, on 20 and 21 February 1992, the Supreme Council for Sport in Africa recognized the multiracial sporting bodies of South Africa that exist for each individual sport.

10. This situation has also resulted in tours of South Africa by delegations of various sporting disciplines.

11. The delegation of the African Athletic Confederation, headed by its President, Mr. Lamine Diack, set the tone. It was followed by that of the IOC, headed by the Vice-President of IOC, Mr. Kéba M'Baye and including, in addition to Mr. Gosper, a member of IOC, Mr. Jean-Claude Ganga and Mr. Lamine Bah, the President and Secretary of ANOCA, respectively.

12. The African Football Confederation (CAF) also had to send representatives to South Africa on two occasions for information-gathering purposes.

13. However, these positive changes must be backed by constant efforts to achieve full integration of blacks and Coloured people into the political and sports life of that country.

14. This is why we should not give South Africa carte blanche unless the five conditions set by IOC are actually met.

15. It is the wish of the President of ANC, Mr. Nelson Mandela, that the slow and progressive evolution we have seen should be pursued by every means. This is why he continues to advise the international community to act with moderation, without succumbing to blind optimism, because there is still a long road ahead.

16. This is the reason why the South African sports authorities must receive encouragement for the progress made.

17. This encouragement will take the form of concerted action by all States parties that cherish peace and justice - by the entire international community - for the purpose of slowly but surely establishing a united, non-racial and democratic South Africa in which all its people, irrespective of race, colour, sex or creed, will enjoy the same fundamental freedoms and human rights.

18. However, beyond this concerted action of the international community, which shall include putting modulated pressure on the South African authorities, as dictated by events, it is the responsibility of the South African authorities to take immediate, energetic and consistent measures to end the violence and acts of terrorism reported here and there.

19. The will to do this must be shown by those most directly concerned, by the very people whose duty it is to enhance the socio-political climate conducive to negotiations through actions conditioned by:

- Releasing all political prisoners;

- Authorizing the unhindered return of refugees and exiles;

- Repealing repressive and discriminatory legislation still in place.

20. It is on this basis that my country, Togo, calls the international community as its witness in inviting all of the people of South Africa to come together in a sports-minded spirit of tolerance and fair play. Such a humanitarian position will allow them to advance towards justice, liberty, equality and fraternity for the healthy practice of sports in everyday life and the advent of a new racial order in South Africa.